

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SERVICE EMPLOYEES
INTERNATIONAL UNION,

Plaintiff,

v.

SAL ROSSELLI, JORGE
RODRIGUEZ, LORI WYMAN, JOAN
EMSLIE, DAVID SHAPIRO,
STANLEY LYLES, NANCY EVANS,
MARTHA VASQUEZ, ROSIE
BYERS, and ROY CHAFFEE,

Defendants.

Case No. **CV 08-2777-JFW (PLAx)**

JUDGMENT

Pursuant to and for the reasons stated in the Court's Minute Order dated July 22, 2008, Defendants' Motion to Dismiss the First Amended Complaint for Failure to State a Claim Upon Which Relief Can Be Granted is GRANTED as to Defendants Sal Rosselli, Jorge Rodriguez, Lori Wyman, Joan Emslie, David Shapiro, Stanley Lyles, Nancy Evans, Martha Vasquez, Rosie Byers, and Roy Chaffee ("Defendants") as follows:

1 1. Plaintiff's First Claim for Relief, and Second Claim
2 for Relief for violation of section 301(a) of the Labor
3 Management Relations Act, 29 U.S.C. 185(a) are dismissed with
4 prejudice;

5 2. To the extent Plaintiff's Second Claim for Relief
6 for state-law breach of contract is based on a contract
7 between labor organizations, it is dismissed with prejudice;
8 and

9 3. Because the Court dismisses the only claims over
10 which this Court has original jurisdiction, the Court
11 declines to exercise supplemental jurisdiction over the
12 remaining state law claims pursuant to 28 U.S.C. § 1367(d).
13 Therefore, to the extent Plaintiff's Second Claim for Relief
14 for state-law breach of contract is not based on a contract
15 between labor organizations, it is dismissed without
16 prejudice. Plaintiff's Third Claim for Relief is dismissed
17 without prejudice.

18 For the foregoing reasons, the First Amended Complaint is
19 dismissed in its entirety against Defendants, and the Court
20 hereby enters final judgment in favor of all Defendants, and
21 against Plaintiff.

22 Defendants shall jointly recover costs as prevailing
23 parties in this litigation, subject to filing a timely Notice
24 of Application to the Clerk to Tax Costs and a proposed Bill
25 of Costs as required by Federal Rule of Civil Procedure 54

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1 and this Court's Local Rule 54-3. After costs are taxed, the
2 Clerk shall here note the amount of costs:

3 \$_____.

4 The Clerk is ordered to enter this Judgment.

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7 Dated: July 31, 2008

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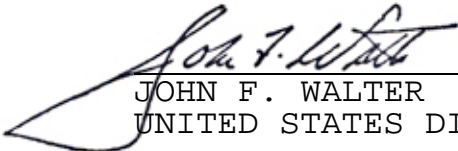
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JOHN F. WALTER
UNITED STATES DISTRICT JUDGE